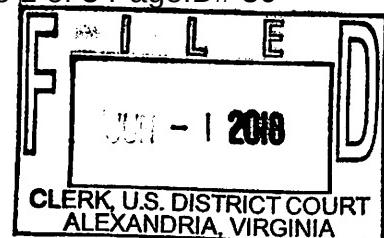


UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF VIRGINIA



U.S.A. vs. Layla R. Botwinik

Docket No. 1:17PO927

Petition on Probation

COMES NOW SHERYLLE GANT, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Layla R. Botwinik, who was placed on supervision by the Honorable Michael S. Nachmanoff, United States Magistrate Judge sitting in the Court at Alexandria, Virginia, on the 15th day of June, 2017, who fixed the period of supervision at two (2) years, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

See Page 2

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

See Attachment(s)

PRAYING THAT THE COURT WILL ORDER a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

Returnable Date: June 19, 2018 @ 10:00 a.m.

ORDER OF COURT

Considered and ordered this 19 day of June 2018 and ordered filed and made a part of the records in the above case.

/s/
Michael S. Nachmanoff
United States Magistrate Judge

Michael S. Nachmanoff
United States Magistrate Judge

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: 05/30/2018

Sherylle Gant

Sherylle Gant
U.S. Probation Officer
(703) 366-2131

Place Manassas, Virginia

TO CLERK'S OFFICE

Petition on Probation

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RE: BOTWINIK, Layla R.

OFFENSE: Driving Under the Influence, in violation of 32 CFR 234.17(c)(1)(i)

SENTENCE: Two (2) years probation with the following special conditions: 1) the defendant shall enter and successfully complete an alcohol education program as directed; 2) the defendant shall not operate a motor vehicle anywhere in the United States for a period of one(1) year except: (a) to, from and as directly required by the defendant's employment, (b) to and from the probation officer, (c) to and from the alcohol program, (d) to and from this court, (e) to and from school for herself and her kids, (f) to and from the interlock facility, (g) for transportation of her minor children (schedule to be approved in advance by probation); 3) the defendant may not operate any motor vehicle unless it is equipped with an alcohol-detecting ignition interlock system approved by the probation officer; 4) the defendant shall serve a period of five (5) days incarceration with the Bureau of Prisons, which may be served on weekends or other intermittent times as deemed appropriate by the probation office; 5) the defendant shall serve five (5) days in home confinement with monitoring at a level the probation officer deems appropriate and with timeouts as directed; and 6) the defendant shall pay a \$250.00 fine, \$10.00 special assessment, and a \$30.00 processing fee within 90 days. All Court-ordered monetary obligations have been satisfied.

ADJUSTMENT TO SUPERVISION: Ms. Botwinik has resided in Maryland since the onset of supervision and she is supervised by U.S. Probation Officer (USPO) Kendall Ridgley.

In a petition executed on November 16, 2017, the Court was advised that Ms. Botwinik attempted to drive her vehicle and submitted several ignition interlock readings that detected alcohol, which kept her vehicle from being able to be driven. She submitted several readings ranging from 0.042-0.181, and several were above the legal limit for driving. Ms. Botwinik admitted to USPO Ridgley that she had consumed alcohol to excess on September 4, 2017.

In an addendum to petition executed on December 4, 2017, the Court was advised that Ms. Botwinik received a traffic citation in Anne Arundel County, Maryland, on October 30, 2017, for Person Driving Motor Vehicle on Highway on Revoked License and Privilege, and she failed to notify her probation officer of the police contact. A hearing date had not yet been scheduled in the Anne Arundel County District Court at the time of the petition. Additionally, it was reported that she submitted new ignition interlock violations on October 15th and 16th of 2017.

Ms. Botwinik appeared before Your Honor on December 12, 2017, for a probation violation hearing and admitted to the alleged violations. She was found in violation and continued on the same term of probation with the following additional special conditions: 1) the defendant shall not consume any alcohol; and 2) the defendant shall submit to remote alcohol testing.

Recent correspondence received from USPO Ridgley revealed Ms. Botwinik's compliance with supervision had been satisfactory since her violation hearing until being cited for traffic citations last month. USPO Ridgley reported Ms. Botwinik has maintained a stable residence and is full-time employed with Blue Side Tavern in Frederick, Maryland. An ignition interlock device was installed on her vehicle on July 28, 2017, and has remained on her vehicle despite her inability to drive as the result of her not having a valid driver's license. Ms. Botwinik completed her 5 days of imprisonment with the Bureau of Prisons on August 18, 2017, and her 5 days of home detention on January 30, 2018. She is enrolled in alcohol education and treatment with Catoctin Counseling. Ms. Botwinik has been on remote alcohol testing since January 25, 2018.

Petition on Probation

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RE: BOTWINIK, Layla R.

A computerized check with Maryland Judiciary Case Search records conducted by this officer on May 27, 2018, revealed Ms. Botwinik failed to appear for trial on March 14, 2018, for the aforementioned Person Driving Motor Vehicle on Highway, and Revoked License and Privilege charge from October 30, 2017, and a warrant was issued the same day. The warrant was served on Ms. Botwinik's person on April 23, 2018, at which time she was released on her own recognizance. A trial date has been reset for July 16, 2018, in the Anne Arundel County District Court.

VIOLATIONS: The following violation is submitted for the Court's consideration.

STANDARD CONDITION #1:

"THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE OR LOCAL CRIME."

SPECIAL CONDITION #2:

"THE DEFENDANT SHALL NOT OPERATE A MOTOR VEHICLE ANYWHERE IN THE UNITED STATES FOR A PERIOD OF ONE(1) YEAR EXCEPT: (A) TO, FROM AND AS DIRECTLY REQUIRED BY THE DEFENDANT'S EMPLOYMENT, (B) TO AND FROM THE PROBATION OFFICER, (C) TO AND FROM THE ALCOHOL PROGRAM, (D) TO AND FROM THIS COURT, (E) TO AND FROM SCHOOL FOR HERSELF AND HER KIDS, (F) TO AND FROM THE INTERLOCK FACILITY, (G) FOR TRANSPORTATION OF HER MINOR CHILDREN (SCHEDULE TO BE APPROVED IN ADVANCE BY PROBATION)."'

Correspondence received from USPO Kendall Ridgley revealed Layla Botwinik was arrested in Frederick County, Maryland on April 22, 2018, for Driving on Suspended License and Privilege; Driving While Suspended; Driving on Revoked License and Privilege; and Driving without Required License and Authorization (Citation No. 0L90QTY-0LD0QTY). She is scheduled to appear for trial in the Fredrick County District Court on June 14, 2018.

USPO Ridgley advised that Ms. Botwinik stated that her parents had returned her vehicle to her and that she was moving it to the back of her apartment building when she was pulled over and arrested by the police.

SCG/lmg